

9-28-06

RCE
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PATENTS

Rev. 12/04

Office Small Entity



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. ELM-2 Cont. 4

Examiner Monica Lewis

Art Unit 2822

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number EV620762918US

Date of Deposit September 26, 2006.

I hereby certify that this transmittal letter and the other papers identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Isatta B. Smith

REQUEST FOR CONTINUED EXAMINATION

Sir:

This is a request for continued examination under 37 C.F.R. § 1.114, of pending prior Application No. 10/672,961 (Confirmation No. 9439), filed on September 26, 2003 of Glenn J. Leedy for THREE DIMENSIONAL MULTI LAYER MEMORY AND CONTROL LOGIC INTEGRATED CIRCUIT STRUCTURE.

1. ☐ Please enter the Amendment Pursuant to 37 C.F.R. § 1.116 filed on _____ in Application No. _____.
2. ☐ Please consider the arguments in the Appeal Brief or Reply Brief filed on _____ in Application No. _____.
3. ☒ A Reply to an Office Action is enclosed.
4. ☐ Affidavit(s)/Declaration(s) is/are enclosed.
5. ☒ An Information Disclosure Statement (in duplicate) is enclosed, including a Form PTO/SB/08 (in duplicate) and copies of thirteen (13) cited references.
6. ☐ A suspension of action on the above-identified patent application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
7. ☐ A check in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(e) is enclosed.
8. ☒ Please charge \$ 395.00 to Deposit Account No. 06-1075 (Order No. 001202-0127) in payment of the fee under 37 C.F.R. § 1.17(e). A duplicate copy of this Request is enclosed.

09/29/2006 YPOLITE150000007(06)1075 10672961
01 FC:2801 395.00 DA
02 FC:2253 510.00 DA

9. FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:


	Claims Remaining After Amendment		Highest Number Previously Paid for	Present Extra	Rate	Fees
TOTAL CLAIMS	41	-	41*	=	x \$25	= \$ 0.00
INDEPENDENT CLAIMS	3	-	3**	=	x \$100	= \$ 0.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$180	= \$ 0.00
TOTAL						\$ <u>0.00</u>

* If less than 20, insert 20.

** If less than 3, insert 3.

10. ☐ The Director is hereby authorized to charge payment of \$ _____ in payment of the fee for additional claims, and to charge any additional fees required under 37 C.F.R. § 1.17(e) in connection with this Request, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this Request is enclosed.
11. ☒ Please grant a ☐ one-month, ☐ two-month, ☒ three-month, ☐ four-month, extension of time under 37 C.F.R. § 1.136(a) to the Examiner's Action of March 28, 2006 in the above-identified patent application. With the extension, the time for replying is extended up to an including September 28, 2006.
12. ☐ The appropriate fee for a -month extension of time to respond to the final rejection was timely paid on _____.
13. ☐ An additional ____-month extension of time to respond to the final rejection is requested.
14. ☐ A check in the amount of \$ _____ in payment of the extension-of-time fee is enclosed.
15. ☒ Please charge the extension-of-time fee of \$ 510.00 to Deposit Account No. 06-1075 (Order No. 001202-0127). A duplicate copy of this Request is enclosed.
16. ☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.16 or § 1.17 in connection with this paper, or to credit any overpayment of same, to Deposit Account No. 06-1075 (Order No. 001202-0127). A duplicate copy of this Request is enclosed.

September 26, 2006
(Date)


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